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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/016,002	01/30/1998	DAVID S. LAMPERT	7117-89	6408

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06/24/2002

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EXAMINER

COLBERT, ELLA

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 06/24/2002

21

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/016,002

Applicant(s)

LAMPERT ET AL.

Examiner

Ella Colbert

Art Unit

3624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 June 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☒ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 2-10, 13-15, 17, 19, 20 and 23-29.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: Applicants' arguments filed 06/12/02 in response to the Final Rejection of 03/18/02 have been considered but are not persuasive for the following reasons: Applicants' argue: the position taken in the final Office Action is incorrect in that it equates Driessen's "main cells" with "parcels" and Driessen explicitly states that a main cell is not divided unless its data content is too large to form a parcel and Driessen does not disclose that any of the areas (either main cells or base cells) whose corresponding data contents are formed into parcels are further subdivided has been considered but is not persuasive because the Examiner maintains that Driessen's blocks are analogous to the Applicants' divided parcels. Driessen uses a regular division pattern such as a quad tree (col. 1, lines 40-43). Driessen teaches in fig. 1 a map, figs. 2 & 3 teach a division of blocks of a map, and Driessen teaches the main cells arranged in a Peano-N key in fig. 4, and fig. 8 which is drawn for the map of fig. 1 and shows the main elements of an embodiment of a land vehicle navigation system.

Applicants' argue: the indexes disclosed by Driessen are used to locate parcels, given geographic locations has been considered but is not persuasive because an index by definition is "a listing of keywords and associated data that point to the location of more comprehensive information, such as files and records on a disk or record keys in a database." Applicants' argue: that Applicants' index associates multiple sub-areas with each data entity contained within a parcel (if the geographic feature represented by the data entity intersects multiple sub-areas) whereas the Driessen index associates a single parcel with a location has been considered but is not persuasive because Applicants' claim limitations in claim 23 do not recite or disclose "multiple sub-areas". Applicants' argue: the index of Driessen relates to finding entire parcels and does not pertain to data entities contained within any of the parcels has been considered but is not persuasive because in col. 3, lines 19-22 Driessen teaches "forming for each main cell divided into base cells the second identifier by forming a number of indices, each index indicating a respective data parcel of its appertaining main cell" interpreted as data entities within the parcels.

For the reasons discussed above the rejection of claims 2-10, 13-15, 17, 19, 20, and 23-29 are maintained .


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